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Filed by Express Mail
Receipt No. 5298018972745
on Oct - 20 - 04
pursuant to 37 C.F.R. 1.10.
By Patricia Muir
Patricia Muir

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Inventor : Seiichi KOBAYASHI
Serial No. : 09/484,722
Filed : January 18, 2000
Title : **APPARATUS USING IN-BAND TYPE ACCESS SYSTEM**
Examiner : Thomas E. Volper
Group Art Unit : 2697

October 20, 2004

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Appeal from the final rejection dated April 20, 2004, of non-allowed claims 2 - 9.

The item(s) checked below are appropriate

1. () An extension of time to respond to the final rejection was requested on ____
2. (X) A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. (x) Fee - \$340.00.

(x) A petition for a three (3) month extension of time under 37 C.F.R. 1.136(a) is enclosed.

10/26/2004 AWONDAF1 00000021 501290 09484722

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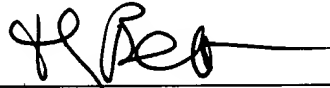
(x) Charge to Deposit Account No. 50-1290 (one additional copy of this Notice is enclosed herewith).

(x) Enclosed. Please charge any additional fee required for this Notice of Appeal to Deposit Account No. 50-1290. A duplicate copy of this paper is enclosed.

() Not required (Fee paid in prior appeal)

Any fee due with this paper, not fully covered by an enclosed check, may be charged to Deposit Account 50-1290.

Respectfully submitted,



Thomas L. Bean
Reg. No. 44,258

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ATTORNEY DOCKET NO.: FUJI 16.959 (100794-09769)